

# EXHIBIT 4

1 IN THE UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF CALIFORNIA

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4 IN RE: JUUL LABS, INC., MARKETING, :  
5 SALES PRACTICES, AND PRODUCTS : No.  
6 LIABILITY LITIGATION : 19-MD-02913-WHO  
7 :  
8

8 REMOTE VIDEO-RECORDED

9 DEPOSITION OF QUARRY PAK

10 Volume I

11 October 7, 2021

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19  
20 Job No. 200253

21 Stenographically reported by:  
22 LAURA AXELSEN, CSR NO. 6173  
23 RMR, CCRR, CRR, CRC  
24  
25

Page 26

1 deposition?

2 A. No.

3 Q. And did you take any notes while you were  
4 reviewing the notices of today's -- the notices for  
5 today's deposition?

6 A. No.

7 Q. Okay. So the first topic under the  
8 prevalence -- so this is the first topic for today,  
9 which was the -- Exhibit 1 was the notice.

10 A. Uh-huh.

11 Q. Is --

12 A. Yes.

13 Q. Your allegations regarding the impact of  
14 the youth e-cigarette crisis on plaintiff, SFUSD,  
15 so the District, in Section 5B of the complaint,  
16 including, but not limited to, the district  
17 determination that individual students are addicted  
18 to nicotine, the District determination that the  
19 plaintiff has been hit hard by the youth  
20 e-cigarette epidemic, and the District's  
21 determination that many students in District schools  
22 have been deceived by defendants' marketing and  
23 misinformation.

24 And so, ma'am, what evidence does the  
25 District have regarding the impact of the youth

Page 28

1 every county. And the other data that we have is  
2 student qualitative data from our student leaders,  
3 our youth outreach workers, high school students  
4 from their planning and leadership of the -- our  
5 public service announcement contests against tobacco  
6 use and vaping.

7 MR. OSBORNE: Q. Besides the items that  
8 you listed, is there any other data that the  
9 District has regarding the impact of the youth  
10 e-cigarette crisis on the District?

11 A. Just requests like -- or observations from  
12 our school staff. And just parents and caregivers  
13 and our community partners that were asking us for  
14 workshops on vaping or information lessons. Things  
15 like that because they were seeing that happen on  
16 their school campuses.

17 Q. Anything else that the District has in its  
18 possession regarding the impact of the youth  
19 e-cigarette crisis on the District?

20 A. In terms of data?

21 Q. Yes, ma'am.

22 A. Not that I know of.

23 Q. Are you aware of anyone in the District who  
24 may have additional information that you've not  
25 already provided on behalf of the District --

Page 27

1 e-cigarette crisis on the District?

2 A. I'm not clear what you mean by evidence.  
3 What are you asking?

4 Q. Does the District have any data regarding  
5 the impact of the youth e-cigarette crisis on the  
6 District?

7 MR. DOUGLAS: Object to form.

8 THE WITNESS: I'm sorry. I didn't hear  
9 that.

10 MR. DOUGLAS: I said object to the form,  
11 but you can answer.

12 THE WITNESS: Oh, okay. The data we have  
13 is from a variety of sources. And we do two  
14 surveillance surveys every other year. The  
15 California Healthy Kid Survey -- actually, there's  
16 three. California Healthy Kid Survey. The Youth  
17 Risk Behavior Survey. The YRBS and CHKS. And the  
18 third one is the California Student Tobacco Survey,  
19 the CSTS. So that's the quantitative data. Those  
20 are all self-reported.

21 We also have information from, like, our  
22 California grantors. This is California Department  
23 of Education. Uhm, they give us information about,  
24 like, trends and best practices and the issues that  
25 are coming up for our state because they work with

Page 29

1 A. No.

2 Q. -- regarding data? No? Okay. So next,  
3 with respect to District's allegation that  
4 individual students are addicted to nicotine, is the  
5 District aware of any individual student that  
6 reports being addicted to nicotine?

7 A. Yes, because they're referred for services.  
8 I couldn't share names with you. I don't know the  
9 names, and we don't record that. But they're  
10 referred for services, and that's why the schools  
11 were responding to our lessons and asking for more  
12 information.

13 Q. Okay. So when you say they were referred  
14 for services, what do you mean by that?

15 A. What you just asked for, the students who  
16 are addicted to nicotine.

17 Q. Okay. But what did you mean when you said  
18 referred for services? What is that -- what do you  
19 mean by that?

20 A. That the students were referred for  
21 services to meet with the nurse, social worker, or  
22 to, like, their provider, like, their doctor,  
23 something like that or Kaiser. Whoever their doctor  
24 might be for more support. There really is not a  
25 lot out there because it's not a lot of services for

Page 74

1 documented in our student information system.

2 MR. OSBORNE: Q. Is the District aware of  
3 any self report from a student that they were  
4 addicted to nicotine?

5 A. I would say yes, we are aware of those.  
6 Those are the conversations that students have with  
7 their -- with the nurses and the providers off in  
8 the community.

9 Q. Okay. So which -- which instance is the  
10 District aware of a student self reporting that they  
11 were addicted to nicotine?

12 A. Any conversations with nurses or social  
13 workers or community providers.

14 Q. Okay. So which -- which instance, as you  
15 sit here today on behalf of the District, is the  
16 District aware of an individual student in the  
17 District reporting that they were addicted to  
18 nicotine?

19 MR. DOUGLAS: Object to form.

20 THE WITNESS: We could -- we could see that  
21 information, experience, and encounter that  
22 information in any conversation with nurses, social  
23 workers, or community partners.

24 MR. OSBORNE: Q. So that's -- so that's  
25 not what we're here for today. Today we're here --

Page 76

1 I'm just trying to be as accurate and representative  
2 as possible.

3 MR. OSBORNE: No. Ms. Court Reporter,  
4 would you please read back the question.

5 (Record read by the reporter:

6 "QUESTION: Okay. So which -- which  
7 instance, as you sit here today on behalf of  
8 the District, is the District aware of an  
9 individual student in the District reporting  
10 that they were addicted to nicotine?")

11 MR. DOUGLAS: Object to form.

12 THE WITNESS: That information would be in  
13 the records of any meetings with nurses and social  
14 workers or counselors that I referred to earlier.  
15 But I do not have access or awareness. We do not  
16 keep records on individual student names and what  
17 they talk about with those providers.

18 MR. OSBORNE: Q. But your testimony is  
19 that the records of meetings from social workers and  
20 counselors would reveal a student who self-reported  
21 that they were addicted to nicotine?

22 A. I am saying that that information happens,  
23 conversations in the meetings, and the meetings  
24 would be documented. But I don't know -- I don't  
25 have knowledge of what exactly -- to what detail --

Page 75

1 and I'm here on behalf of Juul to ask the District  
2 questions about the information that it has. My  
3 very specific question to you on behalf of the  
4 District is, as the District is here today to  
5 testify about the information in its possession,  
6 custody, and control, what information does the  
7 District have about an individual student in the  
8 District who has ever reported that he or she was  
9 addicted to nicotine?

10 MR. DOUGLAS: I'll object that the  
11 corporate representative does not have to know every  
12 single piece of paper or every single individual  
13 student. She can testify to the best of her  
14 knowledge, and she -- if she is knowledgeable about  
15 that topic. And that's what she's trying to do,  
16 Jonathan. She's not trying to -- to hide or conceal  
17 anything. She's telling you that she doesn't have  
18 an individual's name and she can't give you an  
19 individual's name.

20 MR. OSBORNE: That's what you said. That's  
21 not what the witness said.

22 MR. DOUGLAS: Well, she has said that, but  
23 I'll object to form. You can answer to the best of  
24 your ability, Quarry.

25 THE WITNESS: Can you restate the question?

Page 77

1 you know, what you're asking, individual students in  
2 that detail. I have to say that that kind of  
3 information is not something we ask the providers or  
4 school staff or providers to record.

5 Q. Is the District aware of any individual  
6 student who has reported to the District that it  
7 is -- that the student is addicted to nicotine?

8 A. We provide information and resources for  
9 our staff to address that issue. So the staff were  
10 telling us yes, they have reported that they have  
11 contact with students who do report that they are  
12 addicted. They can't stop using. They want to know  
13 more about how they can stop using, and, uhm, also  
14 our student leaders have told us that as well. And  
15 our PSAs have demonstrated, like, what they've seen  
16 in class and outside of class. Our public service  
17 announcements --

18 Q. For the record, motion to strike as  
19 non-responsive.

20 Ms. Pak, is the District aware of a single  
21 student who has reported to the District that they  
22 are addicted to nicotine?

23 MR. DOUGLAS: Objection; asked and  
24 answered.

25 THE WITNESS: I would say the District is

<p style="text-align: right;">Page 78</p> <p>1 aware of many students who have reported this and</p> <p>2 have met with social workers and nurses and</p> <p>3 counselors.</p> <p>4 MR. OSBORNE: Q. Okay. Can the District</p> <p>5 identify a student who has reported that they are</p> <p>6 addicted to nicotine?</p> <p>7 MR. DOUGLAS: Objection; asked and</p> <p>8 answered. The District doesn't have to identify</p> <p>9 individual -- every individual student. That's not</p> <p>10 the rule.</p> <p>11 MR. OSBORNE: Q. Mr. Douglas, if this</p> <p>12 deposition is going to continue today, you have to</p> <p>13 stop testifying, sir. You're taking up valuable</p> <p>14 time, and we have very limited time. The</p> <p>15 question --</p> <p>16 MR. DOUGLAS: Your --</p> <p>17 MR. OSBORNE: The question -- the question</p> <p>18 was not an ambiguous question. The question was</p> <p>19 very clear. The witness can answer the question if</p> <p>20 she knows the answer. If she doesn't, she can say</p> <p>21 she doesn't know and we can move on.</p> <p>22 MR. DOUGLAS: I will say this, and then I</p> <p>23 will try to stop and just object to form. You keep</p> <p>24 asking her the same question and she keeps giving</p> <p>25 the same answer.</p>	<p style="text-align: right;">Page 79</p> <p>1 MR. OSBORNE: Q. Ms. Pak, can the</p> <p>2 District identify a single student who has reported</p> <p>3 that they are addicted to nicotine in the District?</p> <p>4 MR. DOUGLAS: Objection to form.</p> <p>5 THE WITNESS: My understanding of your</p> <p>6 question is if we identify at least one student, and</p> <p>7 I am answering that we have identified many</p> <p>8 students.</p> <p>9 MR. OSBORNE: Q. Okay. So you actually</p> <p>10 haven't identified any students.</p> <p>11 MR. DOUGLAS: Wait a minute. We're not</p> <p>12 going to be naming students in this deposition,</p> <p>13 Jonathan.</p> <p>14 MR. OSBORNE: That's a different objection.</p> <p>15 That's not one you've made before.</p> <p>16 MR. DOUGLAS: Well, all right. I'm not</p> <p>17 going to allow you to have her disclose names of</p> <p>18 individuals. You know the --</p> <p>19 MR. OSBORNE: I didn't ask her --</p> <p>20 Mr. Douglas, I didn't ask her to identify any names.</p> <p>21 I said if they could identify names. And she said</p> <p>22 she's identified many. She hasn't identified any</p> <p>23 students.</p> <p>24 MR. DOUGLAS: Do you want -- what is it --</p> <p>25 when you say -- when you say identify, what is it</p>
<p style="text-align: right;">Page 80</p> <p>1 that you want her to do? She said there's lots of</p> <p>2 them. Do you want names?</p> <p>3 MR. OSBORNE: Q. So I'm going to stop</p> <p>4 discussing this with you, sir.</p> <p>5 Ms. Pak, is the District able to identify</p> <p>6 individual students who have reported to the</p> <p>7 District that they are addicted to nicotine?</p> <p>8 A. I would say that we're identified that it's</p> <p>9 an issue that many students have reported as well as</p> <p>10 students, parents, and caregivers. And the</p> <p>11 documentation that would be in there, the fact that</p> <p>12 they've met with them and were referred, and we've</p> <p>13 talked about those records earlier.</p> <p>14 Q. And it's your testimony that those records</p> <p>15 contain self reporting from students that they're</p> <p>16 addicted to nicotine?</p> <p>17 A. The records contain the fact that they've</p> <p>18 met with the staff members. I don't -- I would have</p> <p>19 to, like, look at the records individually to see</p> <p>20 what they were documenting.</p> <p>21 Q. Okay. So without -- without reviewing the</p> <p>22 records, as you sit here today, you'd be speculating</p> <p>23 to say that there was a student who reported that</p> <p>24 they were addicted to nicotine?</p> <p>25 MR. DOUGLAS: Object to form.</p>	<p style="text-align: right;">Page 81</p> <p>1 THE WITNESS: Again, I'm not a lawyer. I'm</p> <p>2 talking about my knowledge, and it's not</p> <p>3 speculation. It's the knowledge that I have from my</p> <p>4 work and supervision with staff, students, and</p> <p>5 teachers and -- and our partnership with communities</p> <p>6 and parents and caregivers. So what I know is what</p> <p>7 our policy is and what we've had reported to us and</p> <p>8 how we respond. And -- and our data that we have</p> <p>9 from our surveys and what we know about what</p> <p>10 nicotine and teenagers -- effects of use of nicotine</p> <p>11 in teenagers.</p> <p>12 And also, uhm, ENDS and vapes and Juuls and</p> <p>13 tobacco and cigarettes. So all of that knowledge</p> <p>14 has been discussed today and earlier. And all the</p> <p>15 records with evidence that they were referred and</p> <p>16 they had those meetings. The details of the records</p> <p>17 I can't speak to exhaustively. I just would say</p> <p>18 that they are what they are and they have been in</p> <p>19 response to the needs of our students.</p> <p>20 MR. OSBORNE: Q. One of the topics for</p> <p>21 today is prevalence. Uhm, Ms. Pak, is the District</p> <p>22 in possession of any documents that quantify the</p> <p>23 number of students who have reported that they are</p> <p>24 addicted to nicotine?</p> <p>25 A. Not that I'm aware of.</p>